



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

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# **DECISION AND ORDER ON COST AWARDS**

**EB-2019-0194**

**ENBRIDGE GAS INC.**

**Application for 2020 Rates**

**BEFORE: Susan Frank**  
Presiding Member

**Emad Elsayed**  
Member

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**July 24, 2020**

## INTRODUCTION AND SUMMARY

This is a decision of the Ontario Energy Board (OEB) on cost claims filed with respect to an Enbridge Gas Inc. (Enbridge Gas) proceeding.

Enbridge Gas filed an incentive rate-setting mechanism (IRM) application with the OEB on October 8, 2019 seeking approval for changes to its natural gas distribution rates to be effective January 1, 2020. This application was Enbridge Gas' second annual rate adjustment application under the IRM framework approved in the MAADs Decision.<sup>1</sup>

The OEB granted the following parties intervenor status and cost award eligibility:

- Association of Power Producers of Ontario (APPrO)
- Building Owners and Managers Association Toronto (BOMA)
- Canadian Manufacturers & Exporters (CME)
- Consumers Council of Canada (CCC)
- Energy Probe Research Foundation (Energy Probe)
- Federation of Rental-housing Providers of Ontario (FRPO)
- Industrial Gas Users Association (IGUA)
- London Property Management Association (LPMA)
- Ontario Association of Physical Plant Administrators (OAPPA)
- Ontario Greenhouse Vegetable Growers (OGVG)
- Pollution Probe
- Quinte Manufacturers Association (QMA)
- School Energy Coalition (SEC)
- Vulnerable Energy Consumers Coalition (VECC)

On May 14, 2020, the OEB issued its Decision and Order in which it set out the process for intervenors to file their cost claims, for Enbridge Gas to object to the claims and for intervenors to respond to any objections raised by Enbridge Gas.

The OEB received cost claims from APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OGVG, Pollution Probe, QMA, SEC and VECC. By email, OAPPA stated that it will not file a cost claim. On June 23, 2020, Enbridge Gas filed a letter stating that it had no objections to the cost claims received from APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OGVG, Pollution Probe, QMA, SEC and VECC.

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<sup>1</sup> The amalgamation decision of the OEB under the OEB's policy on mergers, acquisition, amalgamation and divestiture (MAADs) approving the amalgamation of Enbridge Gas Distribution and Union Gas Limited, EB-2017-0306/0307, August 30, 2018.

## Findings

The OEB has reviewed the claims filed to ensure that they are compliant with the OEB's *Practice Direction on Cost Awards*.

The OEB notes that neither Energy Probe nor FRPO provided any explanation in their cost claim submission as to why their time spent was unusually high in certain categories. The OEB encourages intervenors to better explain their time spent and how this aligns with their focus as described in their intervention request. In the future the OEB expects that explanations will be provided for large periods of time spent.

The OEB finds that all parties are eligible for 100% of their reasonably incurred costs of participating in this proceeding. The OEB accepts the claims of APPrO, BOMA, CME, CCC, Energy Probe, FRPO, IGUA, LPMA, OGVG, Pollution Probe, QMA, SEC and VECC with the expectation that appropriate explanations will be provided for future cost claims. Each of these claims shall be reimbursed by Enbridge Gas.

## THE ONTARIO ENERGY BOARD ORDERS THAT:

1. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge Gas Inc. shall immediately pay the following amounts to the intervenors for their costs:

• Association of Power Producers of Ontario	\$14,511.35
• Building Owners and Managers Association Toronto	\$16,255.55
• Canadian Manufacturers & Exporters	\$8,529.24
• Consumers Council of Canada	\$19,950.15
• Energy Probe Research Foundation	\$30,235.35
• Federation of Rental-housing Providers of Ontario	\$27,408.15
• Industrial Gas Users Association	\$21,358.47
• London Property Management Association	\$10,329.33
• Ontario Greenhouse Vegetable Growers	\$7,700.95
• Pollution Probe	\$13,610.85
• Quinte Manufacturers Association	\$5,022.85
• School Energy Coalition	\$22,790.97
• Vulnerable Energy Consumers Coalition	\$19,465.36

2. Pursuant to section 30 of the *Ontario Energy Board Act, 1998*, Enbridge Gas Inc. shall pay the OEB's costs of, and incidental to, this proceeding immediately upon receipt of the OEB's invoice.

**DATED** at Toronto July 24, 2020

**ONTARIO ENERGY BOARD**

*Original signed by*

Christine E. Long  
Registrar and Board Secretary